

Fair Employment Practices Sample Harassment Policy

Note: This sample is a composite of various harassment policies. It is intended as a guide for Wisconsin employers in developing their own policy, and should be modified as needed to meet specific policies and structures. It is not legal advice. If legal advice or other expert assistance is required, a competent professional should be sought.

Policy Statement

This defines the harassment policy of _____(employer).

The most productive and satisfying work environment is one in which work is accomplished in a spirit of mutual trust and respect. Harassment is a form of discrimination that is offensive, impairs morale, undermines the integrity of employment relationships and causes serious harm to the productivity, efficiency and stability of our organization.

All employees have a right to work in an environment free from discrimination and harassing conduct, including sexual harassment. Harassment on the basis of an employee's **race, color, creed, ancestry, national origin, age (40 and over), disability, sex, arrest or conviction record, marital status, sexual orientation, membership in the military reserve or use or nonuse of lawful products away from work** is expressly prohibited under this policy. Harassment on any of these bases is also illegal under Section 111.31-111.39, Wisconsin Statutes.

This policy will be issued to all current employees and during orientation of new employees.

Definitions

In general, harassment means persistent and unwelcome conduct or actions on any of the bases underlined above. **Sexual** harassment is one type of harassment and includes unwelcome sexual advances, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature.

Unwelcome verbal or physical conduct of a sexual nature includes, but is not limited to

- The repeated making of unsolicited, inappropriate gestures or comments;
- The display of offensive sexually graphic materials not necessary for our work;

Harassment on any basis (race, sex, age, disability, etc.) exists whenever

- Submission to harassing conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
- Submission to or rejection of such conduct is used as the basis for an employment decision affecting an individual.
- The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.

Recognizing Harassment

Harassment may be subtle, manipulative and is not always evident. It does **not** refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered. Men can be sexually harassed; men can harass men; Women can harass other women. Offenders can be managers, supervisors, co-workers, and non-employees such as clients or vendors.

Some examples:

Verbal: Jokes, insults and innuendoes (based on race, sex, age, disability, etc.), degrading sexual remarks, referring to someone as a stud, hunk or babe; whistling; cat calls; comments on a person's body or sex life, or pressures for sexual favors.

Non-Verbal: Gestures, staring, touching, hugging, patting, blocking a person's movement, standing too close, brushing against a person's body, or display of sexually suggestive or degrading pictures, racist or other derogatory cartoons or drawings.

Grievance Procedure

Any employee who believes he or she is being harassed, or any employee, who becomes aware of harassment, should promptly notify his or her supervisor. If the employee believes that the supervisor is the harasser, the supervisor's supervisor should be notified. If an employee is uncomfortable discussing harassment with his or her supervisor, the employee should contact _____ of the personnel department. Information on your right to file a state or federal harassment complaint is also available from _____.

Upon notification of a harassment complaint, a confidential and impartial investigation will be promptly commenced and will include direct interviews with involved parties and where necessary with employees who may be witnesses or have knowledge of matters relating to the complaint. The parties of the complaint will be notified of the findings and their options.

Non-retaliation

This policy also expressly prohibits retaliation of any kind against any employee bringing a complaint or assisting in the investigation of a complaint. Such employees may not be adversely affected in any manner related to their employment. Such retaliation is also illegal under [Section 111.322 \(2m\), Wisconsin Statutes](#).

Disciplinary Action

The company views harassment and retaliation to be among the most serious breaches of work place behavior. Consequently, appropriate disciplinary or corrective action, ranging from a warning to termination, can be expected.

For more information:

**STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION
CIVIL RIGHTS BUREAU**

20L E WASHINGTON AVE ROOM A300
P BOX 8928
MADISON WI 53708

Telephone: (608) 266-6860
TTY (608) 264-8752

819 N 6th ST
ROOM 255
MILWAUKEE WI 53203

Telephone: (414) 227-4384
TTY (414) 227-4081

Equal Rights Division Web Site: <http://dwd.wisconsin.gov/er/>

The Department of Workforce Development is an equal opportunity employer and service provider. If you have a disability and/or have civil rights questions and need this information in an alternate format or need it translated to another language, please contact us.